

ENTERED

August 22, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**Federal Trade Commission,
Plaintiff,

Civil Action No. 4:24-cv-02508

vs.

Judge Charles Eskridge

Tempur Sealy International, Inc.,
et al.,
Defendants.**SCHEDULING AND DOCKET CONTROL ORDER**

The following schedule will control disposition of this case.

Event	Deadline
Start of Discovery	July 22, 2024
Plaintiff Produces Investigative File	Five days after entry of the Protective Order or under 16 C.F.R. § 3.31, whichever comes first
Defendants File Answers to Complaint	July 23, 2024
Exchange of Initial Fact Witness Lists	July 30, 2024
Deadline for Issuing Requests for Written Discovery and Subpoenas	August 16, 2024
Good Faith Commitment to Complete Party Depositions	September 13, 2024
Close of Fact Discovery	September 20, 2024
Plaintiff Serves Expert Disclosure and Report(s)	September 23, 2024

Event	Deadline
Plaintiff Files Preliminary Injunction Motion	October 4, 2024
Defendants Serve Expert Disclosures and Report(s)	October 14, 2024
Exchange of Final Witness Lists, Exhibit Lists, [and Deposition Designations]	October 16, 2024
Plaintiff Serves Any Rebuttal Expert Report(s)	October 21, 2024
Each Side Exchanges Objections to Exhibit Lists, [Objections to Deposition Designations, and Counter-Designations]	October 23, 2024
Each party informs each third party of all documents produced by that third party that are on that party's Exhibit List or of any Deposition Designations or Counter-Designations from that third party's deposition	October 24, 2024
Defendants File Opposition to Plaintiff's Motion for Preliminary Injunction	October 25, 2024
Close of Expert Discovery	October 29, 2024
Third parties provide notice whether they object to the potential public disclosure at hearing of any third-party documents and depositions, explain the basis for any such objections, and propose redactions where possible	October 30, 2024
Deadline for Motions under Federal Rule of Evidence 702	November 1, 2024
Parties meet and confer regarding admissibility of hearing exhibits	November 1, 2024 (and as required thereafter)

Event	Deadline
Parties meet and confer regarding disputes about confidentiality of party documents on trial exhibit lists	November 1, 2024
Parties and third parties meet and confer regarding confidentiality of third-party documents on trial exhibit lists and third-party depositions	November 4, 2024
Joint Prehearing Statement Deadline	November 4, 2024
Plaintiff Files Reply to Defendants' Opposition to Motion for Preliminary Injunction	November 4, 2024
<i>In Camera</i> Designation Deadline	November 6, 2024
Joint submission regarding disputes about admissibility of hearing exhibits	November 6, 2024
Deadline for Response to Motions under Federal Rule of Evidence 702	November 7, 2024
Pre-Hearing Conference	November 8, 2024
Evidentiary Hearing Begins	November 12, 2024
Proposed Findings of Fact and Conclusions of Law and Any Post-Hearing Briefs Due	Fourteen days after evidentiary hearing ends

Signed on August 21, 2024, at Houston Texas.



Hon. Charles Eskridge
United States District Judge.